

**441—119.4(135C) Completion of evaluation.**

**119.4(1) Considerations.** The department shall consider the following when conducting a record check evaluation:

- a.* The nature and seriousness of the crime or founded child or dependent adult abuse in relation to the position sought or held.
- b.* The time elapsed since the commission of the crime or founded child or dependent adult abuse.
- c.* The circumstances under which the crime or founded abuse was committed.
- d.* The degree of rehabilitation.
- e.* The likelihood that the person will commit a crime or founded child or dependent adult abuse again.
- f.* The number of crimes or instances of founded child or dependent adult abuse committed by the person involved.

**119.4(2) Notice of decision.** The department shall issue a notice of decision in writing to the employer that requested the record check evaluation. The department shall send a copy of the notice of decision to the person who has applied for employment, if the person's address is available. If the address is not available, the department shall send the prospective employee's copy of the notice to the employer.

- a.* The notice shall be valid only for employment with the employer that requested the record check evaluation.
- b.* The notice shall not be valid for employment with any other prospective employer.
- c.* Record check evaluations are valid for employment that commences within 30 days from the date of notice of decision.
- d.* The notice of decision shall contain the notice of right to appeal.